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14 UNITED STATES DISTRICT COURT  
15 SOUTHERN DISTRICT OF CALIFORNIA

16 OAKLEY, INC., a Washington  
17 Corporation,

18 Plaintiff,


19 vs.

20 NY EYEWEAR TRADING, INC.,  
21 A New York corporation,

22 Defendant.  
23

Case No. **10 CV 0338** MMA RBB  
NOTICE OF RELATED CASES

24 Plaintiff Oakley, Inc., pursuant to Local Rule 40.1, hereby notifies the Court  
25 and Defendant NY Eyewear Trading, Inc. that the subject matter of this case is  
26 related to the following actions. However, counsel does not believe that  
27 assignment to any particular judge would prove to be judicially economical, as the  
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merits and issues underlying this case are different and no substantial rulings from the other cases would appear to govern in this case.

1. Civil Action No. 09 CV 2615 W (CAB) filed 11/19/09  
United States District Court, Southern District of California  
Oakley, Inc. v. Pepper's Performance Eyewear, Inc. dba Chili's

Eye gear

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent Nos. 5,054,903, 5,387,949, and 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

2. Civil Action No. SACV09-01285 CJC (RNBx) filed 11/5/09  
U.S. District Court, Central District of California  
Oakley, Inc. v. CTS Wholesale LLC dba Wholesale Discount

Sunglasses

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

3. Civil Action No. 09CV2333 IEG BLM filed 10/20/09  
United States District Court, Southern District of California  
Oakley, Inc. v. Mountain Shades, Inc. dba Optic Nerve

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

4. Civil Action No. 09CV 2037 JVS JMA filed 9/17/09  
United States District Court, Southern District of California  
Oakley, Inc. v. Ryders Eyewear

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

- 4 5. Civil Action No. 09CV1739 JAH WMc filed 8/10/09  
5 United States District Court, Southern District of California  
6 Oakley, Inc. v. Pyramex Safety Products LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
8 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused  
9 product that is similar to the accused product in this case.

- 10 6. Civil Action No. 09CV1616 JLS POR filed 7/24/09  
11 United States District Court, Southern District of California  
12 Oakley, Inc. v. Smith & Wesson Corp.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
14 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused  
15 product that is similar to the accused product in this case.

- 16 7. Civil Action No. 09CV1491 W JMA filed 7/9//09  
17 United States District Court, Southern District of California  
18 Oakley, Inc. v. Marsalle, Inc. dba New York Shades dba NYS  
19 Collection and Sunglass Plus

20 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
21 U.S. Patent Nos. 5,387,949, D581,443, and 5,054,903 in a case alleging patent  
22 infringement by an accused product that is similar to the accused product in this  
23 case.

- 24 8. Civil Action No. 09CV1120 L BLM filed 5/22/09  
25 United States District Court, Southern District of California  
26 Oakley, Inc. v. Evike.com Co. and T H Sunglass Corporation  
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1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

- 4 9. Civil Action No. CV09-03037 GW (VBKx) filed 04/30/2009  
5 United States District Court, Central District of California  
6 Oakley, Inc. v. Pacific Link Trade USA, et al.

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
8 U.S. Patent Nos. 5,387,949 and D415,188 in a case alleging patent infringement by  
9 an accused product that is similar to the accused product in this case.

- 10 10. Civil Action No. 09 CV 0808 WQH NLS filed 04/17/2009  
11 United States District Court, Southern District of California  
12 Oakley, Inc. v. Bushnell, Inc.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
14 U.S. Patent Nos. 5,137,342 and 5,387,949, in a case alleging patent infringement  
15 by an accused product that is similar to the accused product in this case.

- 16 11. Civil Action No. 08 CV 1457 JAH (JMA) filed 8/11/2008  
17 United States District Court, Southern District of California  
18 Oakley, Inc. v. Big 5 Corporation and Style Eyes Optics

19 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
20 U.S. Patent No. 5,387,949, in a patent infringement case with an accused product  
21 that is similar with the accused product in this case. Magistrate Judge Adler  
22 became familiar with the asserted technology and claims during the ENE process.

- 23 12. Civil Action No. 07 CV 1980 BEN (LAB) filed 10/12/2007  
24 United States District Court, Southern District of California  
25 Oakley, Inc. v. Wild Oats Markets, Inc. dba Henrys Farmers Market  
26 and Zoom Eyeworks, Inc.

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,137,342 in a case involving patent infringement by an accused  
3 product that is similar to the accused product in this case.

4 13. Civil Action No. SACV 07-1194 AG (RNBx) filed 10/09/2007  
5 United States District Court, Central District of California  
6 Oakley, Inc. v. UnderArmour, Inc. and Eyeking, LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
8 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused  
9 product that is similar to the accused product in this case.

10 14. Civil Action No. 07 1153 AHS (PJWx) filed 09/28/2007  
11 United States District Court, Central District of California  
12 Oakley, Inc. v. Zeal Optics, Inc.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
14 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused  
15 product that is similar to the accused product in this case.

16 15. Civil Action No. SACV 07-1253 AHS (MLGx) filed 02/23/2007  
17 United States District Court, Central District of California  
18 Oakley, Inc. v. O O Sunglass, Inc., Kingpes Trading Co., Inc., Good  
19 Bond Industrial Corporation, Steven Carter and Janice Carter

20 This action involves the Plaintiff, Oakley, Inc., and the same patents in suit,  
21 U.S. Patent No. 5,054,903 in a case alleging patent infringement by an accused  
22 product that is similar to the accused product in this case. The case is stayed after  
23 default was entered as the defendants filed bankruptcy.

24 16. Civil Action No. SACV 06-2321 AHS (ANx) filed 04/17/2006  
25 United States District Court, Central District of California  
26 Oakley, Inc. v. Asia Pacific Trading Co., Inc.  
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1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

4 17. Civil Action No. 06 CV 0829 J (RBB) filed 04/10/2006  
5 United States District Court, Southern District of California  
6 Oakley, Inc. v. Aeero Company

7 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
8 U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by  
9 an accused product that is similar to the accused product in this case.

10 18. Civil Action No. 06 CV 0704 H (NLS) filed 04/03/2006  
11 United States District Court, Southern District of California  
12 Oakley, Inc. v. Norris Mahoney, Inc. dba Solarex Sunglass

13 Collections

14 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
15 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
16 product that is similar to the accused product in this case.

17 19. Civil Action No. SACV 05-0843 AHS (ANx) filed 08/30/2005  
18 United States District Court, Central District of California  
19 Oakley, Inc. v. Jay-Y Enterprises Co.

20 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
21 U.S. Patent Nos. 5,137,342 and D415,188 in a case alleging patent infringement by  
22 an accused product that is similar to the accused product in this case.

23 20. Civil Action No. 05 CV 1336 B (JMA) filed 06/30/2005  
24 United States District Court, Southern District of California  
25 Oakley, Inc. v. United Parcel Service, Inc.

26 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
27 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
28 product that is similar to the accused product in this case.

- 1           21. Civil Action No. SACV 05-0219 AHS (MLGx) filed 03/07/2005  
2           United States District Court, Central District of California  
3           Oakley, Inc. v. Spy Optic, Inc. and Orange 21

4           This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
5 U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by  
6 an accused product that is similar to the accused product in this case.

- 7           22. Civil Action No. 04 CV 1379 WQH (POR) filed 07/09/2004  
8           United States District Court, Southern District of California  
9           Oakley, Inc. v. Joe Werb (Amazing Replicas.com)

10          This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
11 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
12 product that is similar to the accused product in this case.

- 13          23. Civil Action No. 04 CV 1015 IEG (BLM) filed 05/18/2004  
14          United States District Court, Southern District of California  
15          Oakley, Inc. v. Target Corporation, et al.

16          This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
17 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
18 product that is similar to the accused product in this case.

- 19          24. Civil Action No. 03 CV 2486 IEG (BLM) filed 12/11/2003  
20          United States District Court, Southern District of California  
21          Oakley, Inc. v. Daniel Weilacher, The BestReplicas.com, United

22 Research

23          This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
24 U.S. Patent Nos. D470,166 and 5,137,342 in a case alleging patent infringement by  
25 an accused product that is similar to the accused product in this case.

- 26          25. Civil Action No. 03 CV 2189 IEG (LSP) filed 11/06/2003  
27          United States District Court, Southern District of California  
28          Oakley, Inc. v. Trio Brothers Trading USA



1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

4 26. Civil Action No. 03 CV 1783 JM (JAH) filed 09/05/2003  
5 United States District Court, Southern District of California  
6 Oakley, Inc. v. Del Sol LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
8 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
9 product that is similar to the accused product in this case.

10 27. Civil Action No. 02 CV 2528 L (RBB) filed 12/23/2002  
11 United States District Court, Southern District of California  
12 Oakley, Inc. v. H.L. Bouton Company

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
14 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
15 product that is similar to the accused product in this case.

16 28. Civil Action No. 02 CV 0189 BTM (AJB) filed 09/20/2002  
17 United States District Court, Southern District of California  
18 Oakley, Inc. v. KCP Wholesale Distributors

19 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
20 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
21 product that is similar to the accused product in this case.

22 29. Civil Action No. 02 CV 1863 IEG (JES) filed 09/18/2002  
23 United States District Court, Southern District of California  
24 Oakley, Inc. v. Crews, Inc. and Applied Industrial Technologies

25 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
26 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
27 product that is similar to the accused product in this case.

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1           30.   Civil Action No. 01 CV 1486 K (JAH) filed 08/16/2001  
2                   United States District Court, Southern District of California  
3                   Oakley, Inc. v. Replicawarehouse.com, United Research, Daniel  
4                   Weilacher

5           This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
6           U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
7           product that is similar to the accused product in this case.

8           31.   Civil Action No. SACV 01-0806 AHS (ANx) filed 07/18/2001  
9                   United States District Court, Central District of California  
10                  Oakley, Inc. v. Wilson Sporting Goods

11           This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
12           U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
13           product that is similar to the accused product in this case.

14           32.   Civil Action No. 01 CV 1078 J (RBB) filed 06/15/2001  
15                   United States District Court, Southern District of California  
16                   Oakley, Inc. v. Keith Mecham dba Epic Apparel

17           This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
18           U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
19           product that is similar to the accused product in this case.

20           33.   Civil Action No. 00 CV 2523 JM (AJB) filed 11/17/2000  
21                   United States District Court, Southern District of California  
22                   Oakley, Inc. v. Richard Wilton

23           This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
24           U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
25           product that is similar to the accused product in this case.

26           34.   Civil Action No. 00 CV 1882 K (RBB) filed 09/20/2000  
27                   United States District Court, Southern District of California  
28                   Oakley, Inc. v. Sunshine Tropics and Lino Doe

1 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
2 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

4 35. Civil Action No. 00 CV 1317 JM (POR) filed 06/30/2000

5 United States District Court, Southern District of California

6 Oakley, Inc. v. Ashley Murray dba The Gift Zone and Dawn Murray

7 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
8 U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by  
9 an accused product that is similar to the accused product in this case.

10 36. Civil Action No. SACV 00-0620 AHS (EEEx) filed 06/23/2000

11 United States District Court, Central District of California

12 Oakley, Inc. v. Asia Pacific Trading Co., Inc.

13 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,  
14 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
15 product that is similar to the accused product in this case.

16 37. Civil Action No. SACV 00-0586 AHS (ANx) filed 06/14/2000

17 United States District Court, Central District of California

18 Oakley, Inc. v. Martini Eyewear; Newport Beach Sunglass Company;  
19 Gary Young and Gary Young dba sunglasssales.com and dba koolshades.com

20 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
21 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused  
22 product that is similar to the accused product in this case.

23 38. Civil Action No. 00 CV 1010 BTM (JFS) filed 05/18/2000

24 United States District Court, Southern District of California

25 Oakley, Inc. v. Pacific Sunwear of California, Inc. and Sungold  
26 Eyewear, Inc.

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,  
2 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused  
3 product that is similar to the accused product in this case.

4 DATED: February 10 2010 WEEKS, KAUFMAN, NELSON & JOHNSON

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7 CHANDLER G. WEEKS

8 Attorney for Plaintiff, Oakley, Inc.  
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